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JUL 10 2008

PATENT APPLN. NO. 10/524,892
RESPONSE UNDER 37 C.F.R. §1.111

PATENT
NON-FINAL

REMARKS

In the Action of April 16, 2008, the Office is requiring confirmation of the telephone election of the Group (I) claims, claims 1 to 18. Applicants affirm the election of the Group (I) claims. This election is made without traverse.

Claim 27 has been modified to recite a method for producing the modified substrate of claim 1. Thus, claim 27 now includes all limitations of claim 1. Upon allowance of claim 1, rejoinder of claims 27 to 36 is requested.

Claims 1 and 6 are objected to because it is not understood what ratio is "wherein the soluble hydrophilic polymer ratio is 15 weight percent or less". Claim 1 has been amended to recite "a ratio of a soluble hydrophilic polymer contained in the hydrophilic polymer to the total of the hydrophilic polymer of the modified substrate."

As described on page 5, line 23, to page 6, line 4, of the specification of the present application, the soluble hydrophilic polymer ratio is defined as a ratio of the soluble hydrophilic polymer to the total of the hydrophilic polymer of the modified substrate where the terminology "soluble hydrophilic polymer" refers to a hydrophilic polymer that is neither crosslinked nor insolubilized due to immobilization on the substrate. In other

words, claim 1 requires that 85 weight percent or more of the hydrophilic polymer of the modified substrate is immobilized on the substrate by being crosslinked or insolubilized. In this regard, it is noted that a new claim, claim 40, has been added to the application to recite that the hydrophilic polymer is immobilized on the substrate.

Claim 1 has also been amended to recite that the claimed number of adhered blood platelets is determined "when the modified substrate is brought into contact with human blood which contains heparin with a concentration of 50 U/mL at 37°C for one hour". This amendment is supported by the description on page 9, lines 21 to 23, and page 42, lines 18 to 24, of the specification of the present application.

Removal of the objection to claims 1 and 6 is believed to be in order and is respectfully requested.

Claims 6 and 13 are rejected under 35 U.S.C. 112, second paragraph, for being indefinite. Claims 6 and 13 have been amended to provide proper antecedent basis for the terms identified by the Office.

Removal of the 35 U.S.C. 112, second paragraph, rejection is believed to be in order and is respectfully requested.

Claims 1 to 5, 7, 9 to 11 and 13 to 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Kasai et al. (U.S. Patent No. 4,776,959; hereinafter "Kasai").

As described above, in the present invention a ratio of a soluble hydrophilic polymer to the total of the hydrophilic polymer in the modified substrate is 15 weight percent or less. However, in Kasai a hydrophilic polymer is not crosslinked or insolubilized at all. Therefore, in Kasai a ratio of a soluble hydrophilic polymer to the total of the hydrophilic polymer is 100 percent.

Kasai fails to disclose each and every element of the claims of the present application and is insufficient to support a case of anticipation under 35 U.S.C. 102(b).

Removal of the 35 U.S.C. 102(b) rejection of the claims is believed to be in order and is respectfully requested.

Claims 6, 8 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kasai in view of Gravier et al. (U.S. Patent No. 5,429,839), Nagamoto (U.S. Patent No. 5,023,052) or Ricketts et al. (U.S. Patent No. 2,715,091. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kawaguchi et al. (U.S. Patent No. 5,658,466) in view of Aoyagi et al. (U.S. Patent No. 4,609,464).

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These rejections depend on the rejection of claim 1, upon which the rejected claims depend. Since claim 1 has been shown to be patentable, claims 6, 8, 12 and 18 are also patentable.

Removal of the 35 U.S.C. 103(a) rejections of the claims is believed to be in order and is respectfully requested.

As noted above, rejoinder of claims 27 to 36 is requested in view of the amendment to claim 27.

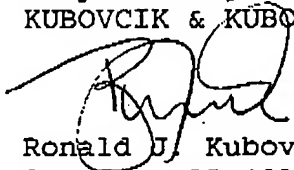
The foregoing is believed to be a complete and proper response to the Office Action dated April 16, 2008.

In the event that this paper is not considered to be timely filed, applicants hereby petition for an appropriate extension of time.

PTO-2038 in the amount of \$50.00 for new claim 40 accompanies this paper.

In the event any additional fees are required, please charge our Deposit Account No. 111833.

Respectfully submitted,
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